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## Fax Transmittal

November 7, 2005

| RECIPIENT NAME(S)  | RECIPIENT FAX NUMBER(S)   | RECIPIENT TELEPHONE NUMBER(S)  |
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| <b>MESSAGE</b>   |                           |  |

Re: U.S. Patent Application Ser. No. 09/920,953 filed August 2, 2001  
Confirmation No. 9080  
Title: Nucleic Acid Sequences from *Chlorella Sarokiniana* and Uses Thereof  
Inventors: Molian DENG *et al.*  
Atty. Dkt.: 16517.286

Dear Dianne:

Enclosed are substitute Appendix pages for the Claims Appendix, Evidence Appendix and Related Appeals Appendix for the above-identified application. Please feel free to contact me if I can be of any further assistance.

Tom

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## CLAIMS APPENDIX

1. An isolated nucleic acid molecule comprising a nucleotide sequence of SEQ ID NO: 2 or complement thereof.
2. The isolated nucleic acid molecule of claim 1, wherein said isolated nucleic acid molecule encodes a *Chlorella sarokiniana* protein.
3. The isolated nucleic acid molecule of claim 2, wherein said *Chlorella sarokiniana* protein is a homologue of a 60S Ribosomal protein.
4. The isolated nucleic acid molecule of claim 3, wherein said isolated nucleic acid molecule a nucleotide sequence of SEQ ID: 2.
5. (Cancelled)
6. A transformed cell having an exogenous nucleic acid molecule which comprises:
  - (A) an exogenous promoter region which functions in said cell to cause the production of a mRNA molecule; which is operably linked to
  - (B) a structural nucleic acid molecule, wherein said structural nucleic acid molecule comprises a nucleic acid sequence of SEQ ID NO: 2 or complement thereof; which is operably linked to
  - (C) a 3' non-translated sequence that functions in said cell to cause termination of transcription and addition of polyadenylated ribonucleotides to a 3' end of said mRNA molecule.
7. The transformed cell according to claim 6, wherein said cell is selected from the group consisting of an algal cell, a plant cell, a mammalian cell, a bacterial cell, a fungal cell and an insect cell.

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8. The transformed cell according to claim 7, wherein said cell is an algal cell.
9. The transformed cell according to claim 8, wherein said cell is a *Chlorella sarokiniana* cell.
10. The transformed cell according to claim 7, wherein said cell is a plant cell.
11. A substantially purified nucleic acid molecule consisting of a nucleic acid sequence of SEQ ID NO: 2 or complement thereof.
12. A substantially purified nucleic acid molecule comprising a nucleic acid sequence having between 100% and 90% sequence identity with a nucleic acid sequence of SEQ ID NO: 2 or complement thereof.
13. The substantially purified nucleic acid molecule of claim 12, wherein said nucleic acid molecule comprises a nucleic acid sequence having between 100% and 95% sequence identity with a nucleic acid sequence of SEQ ID NO: 2 or complement thereof.
14. The substantially purified nucleic acid molecule of claim 13, wherein said nucleic acid molecule comprises a nucleic acid sequence having between 100% and 98% sequence identity with a nucleic acid sequence of SEQ ID NO: 2 or complement thereof.
15. The substantially purified nucleic acid molecule of claim 14, wherein said nucleic acid molecule comprises a nucleic acid sequence having between 100% and 99% sequence identity with a nucleic acid sequence of SEQ ID NO: 2 or complement thereof.

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**EVIDENCE APPENDIX**

No New Evidence

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## RELATED PROCEEDINGS APPENDIX

Attached is a copy of the Decision on Appeal that issued in the following application:

U.S. Appln. No. 09/619,643, BPAI Appeal No. 2002-2046